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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

PADAM GIRI,

Plaintiff,

v.

ROBERT MUELLER, III, Director, Federal
 Bureau of Investigation; EMILIO
 GONZALES, Director, U.S. Citizenship and
 Immigration Services; MICHAEL
 CHERTOFF, Secretary, Department of
 Homeland Security; MICHAEL B.
 MUKASEY, Attorney General, Department
 of Justice; TERRY RICE, San Francisco
 Field Office Director, USCIS; EMILIA
 BARDINI, Director, Asylum Office, San
 Francisco,

Defendants.

No. C 07-5219 JCS

**JOINT REQUEST TO BE EXEMPT
 FROM FORMAL ADR PROCESS;
 PROPOSED ORDER**

Each of the undersigned certifies that he or she has read either the handbook entitled
 “Dispute Resolution Procedures in the Northern District of California,” or the specified portions
 of the ADR Unit’s Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute
 resolution options provided by the court and private entities, and considered whether this case
 might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because
 this mandamus action is limited to Plaintiff’s request that this Court compel Defendants to

1 adjudicate his application for asylum. Given the substance of the action and the lack of any
2 potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax
3 court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be
4 removed from the ADR Multi-Option Program and that they be excused from participating in the
5 ADR phone conference and any further formal ADR process.

6 Dated: December 28, 2007

Respectfully submitted,

7 SCOTT N. SCHOOLS
8 United States Attorney

9 _____
10 /s/
11 MELANIE L. PROCTOR¹
12 Assistant United States Attorney
13 Attorneys for Defendants

14 Dated: December 21, 2007

15 _____
16 /s/
17 BEN LOVEMAN
18 Attorney for Plaintiff

19 **ORDER**

20 Pursuant to stipulation, IT IS SO ORDERED.

21 Dated:

22 _____
23 JOSEPH C. SPERO
24 United States Magistrate Judge

25
26 _____
27 ¹ I, Melanie Proctor, hereby attest that I have on file all holograph signatures for any
28 signatures indicated by a “conformed” signature (/S/) within this efiled document.